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How Image
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 99-089)

In re the Application of:)
Mark O. Vogel)
Serial No.: 09/318,460) Group Art Unit 2666
Filed: May 25, 1999) Examiner: Melanie Jagannathan
For: METHOD FOR DYNAMIC) Confirmation No. 1443
PERFORMANCE OPTIMIZATION IN A)
DATA-OVER-CABLE SYSTEM)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached:
 - a. Response to Notice Regarding Drawings;
 - b. Figures 1-13; and
 - c. Return Receipt Postcard.
2. With respect to additional fees:
 - a. No fees are due.
3. Please charge any additional fees or credit overpayment to our Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 2, 2005.

By :

Robert J. Irvine
Reg. No. 41,865

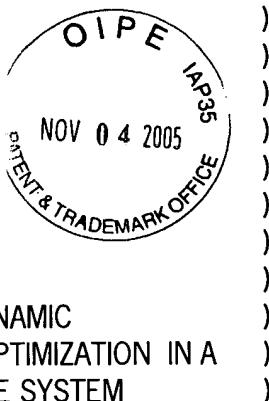
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) Group Art Unit 2666

) Examiner: Melanie Jagannathan

) Confirmation No. 1443

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE REGARDING DRAWINGS

Dear Sir:

This paper is filed in response to the Notice Regarding Drawings mailed on September 2, 2005. It is believed that no fee is due in connection with this filing. If, however, a fee is due the Commissioner is authorized to charge our deposit account number 13-2490.

Applicant has submitted a new Figure 1 and a clean copy of Figures 2-13.

Applicant respectfully requests the entry of the substitute drawings in place of the originally filed drawings.

Respectfully submitted,

Date: November 2, 2005

By:


Robert J. Irvine III
Reg. No. 41,865